

Service Date: July 31, 1989

FINAL ORDER NO. 5946

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	
DAKETOKACATE, A PARTNERSHIP,)	DOCKET NO. T-9382
CONSISTING OF DAVID, KEVIN, TODD,)	
KENDRA, CHAD, AND TENELLA WRIGHT,)	ORDER NO. 5946
Great Falls, Montana, for a Montana)	
Certificate of Public Convenience and)	
Necessity.)	

The Commission, having taken evidence and being fully
advised in the premises, makes the following findings,
conclusions and order:

FINDINGS OF FACT

1. On March 9, 1989, Daketokacate, a partnership
consisting of David, Kevin, Todd, Kendra, Chad, and Tenella
Wright, 1812 10th Avenue South, Great Falls, Montana 59405
filed an application with the Montana Public Service
Commission under Title 69, MCA, for a Certificate of Public
Convenience and Necessity authorizing the transportation of
persons and baggage in limousine service, Class B, between all
points and places in Cascade, Lewis & Clark, Powell, Flathead,
Glacier, Teton, Pondera, Toole, Liberty, Hill, Blaine,
Chouteau, Fergus, and Judith Basin Counties, with the

following limitations: 1. Transportation is limited to limousine vehicles with no more than a nine (9) passenger capacity. 2. Operations as a taxi is prohibited. 3. Hiring of the limo service must be for the entire vehicle and solicitations of individual passengers to constitute a load is prohibited.

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public April 5, 1989. That notice said in pertinent part:

If no written protests are received by April 25, 1989, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protests were filed by Michael E. Dailey dba Benton Stage Line, Fort Benton, Montana; Karst Stage, Inc., Bozeman, Montana; Diamond Cab Company, Great Falls, Montana; Ted Nichols dba Inter-City Freight Lines, Inc., Missoula, Montana; and Leona and Lonnie Knutson dba Valet Limousine Service, Kalispell, Montana.

4. Various stipulations were entered into between the parties, resulting in the withdrawal of all protests to the docket.

5. The record of this application is available for

inspection at the Public Service Commission Office, 2701 Prospect Avenue, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.
2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.
3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 2701 Prospect Avenue, Helena, Montana, on the 31st day of July, 1989, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-9382, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Daketokacate, a partnership consisting of David, Kevin, Todd, Kendra, Chad, and Tenella Wright, Great Falls, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Persons and baggage in limousine service, Class B, between all points and places in Cascade, Lewis & Clark, Powell, Flathead, Glacier, Teton, Pondera, Toole, Liberty, Hill, Blaine, Chouteau, Fergus, and Judith Basin Counties.

LIMITATIONS: 1. Transportation is limited to limousine

vehicles with no more than a nine (9) passenger capacity.

2. Operations as a taxi is prohibited. 3. Hiring of the limo service must be for the entire vehicle and solicitations of individual passengers to constitute a load is prohibited. 4. Transportation shall not originate or terminate within a thirty (30) mile radius of Helena, Montana. 5. Transportation is restricted against pickup and delivery of passengers in Flathead and Glacier Counties. 6. Transportation shall not originate in or within 65 miles of Kalispell, Montana. 7. Transportation shall not originate in Chouteau County. 8. Transportation of Burlington Northern and Montana Rail Link crews is prohibited. 9. Transportation is restricted to that made by advance reservation of at least twelve (12) hours. 10. Transportation service is restricted to a two hour minimum service.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by certified mail to the Applicant herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 31st day of July, 1989, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

CLYDE JARVIS, Chairman

HOWARD L. ELLIS, Vice Chairman

JOHN B. DRISCOLL, Commissioner

DANNY OBERG, Commissioner

WALLACE W. "WALLY" MERCER, Commissioner

ATTEST:

Ann Purcell
Acting Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.